

Remarks

New claims 29 and 30 have been added. New claim 29 comprises a combination of claims 1 and 8 as previously presented and new claim 30 comprises a combination of claims 11 and 28 as previously presented. Consequently, new claims 29 and 30 comprise subject matter acknowledged by the Examiner as being allowable. Applicant is grateful to the Examiner for indicating that the subject matter of claims 8 and 28 can form the basis for allowable claims.

The Examiner continues, however, to reject claims 1 to 7, 10, 11, 19 to 21, 25 and 27 under the rejections made using the prior art of the office action mailed January 28, 2008.

Given that, in the response dated April 28, 2008 responding to said office action mailed January 28, 2008, main independent claims 1 and 11 were substantially amended to significantly different subject matter, it is difficult to reconcile the Examiner's continued rejection of such claims based on former rejections formulated in respect of former claim language of substantially different scope to that of claims 1 and 11 as presented in the response of April 28, 2008 and as presently pending.

To establish that a claim is anticipated, it is necessary to demonstrate that each and every element of the claim is taught in a single prior art reference. It therefore follows that, if said claim is substantially changed, it is not probable that a former rejection of anticipation in respect of the former language of said claim will remain valid against the new language of said claim since such rejection cannot, by definition, have been formulated to demonstrate the presence of all the claim features of the new claim language in said single prior art reference.

It is similarly the case that former rejections of former claim language as being obvious in light of cited references cannot remain wholly valid in respect of substantially new claim language given that one of the requirements for a prima facie

case of obviousness is to demonstrate that all of the claims features are taught or suggested by the prior art reference or references used as a basis for the obviousness rejection.

Consequently, Applicant suggests that the Examiner's rejection of claims 1 to 7, 10, 11, 19 to 21, 25 and 27 under the rejections made using the prior art of the office action mailed January 28, 2008 cannot be considered as a valid formulation of rejections under 35 U.S.C. §102 or §103 in respect of the current wording of said claims, particularly given the substantial changes made to the language of said claims in the response of April 28, 2008.

The Examiner is requested to either withdraw his former rejections and indicate that the claims are allowable or to properly formulate appropriate rejections in respect of the new language of the claims presented in the response of April 28, 2008.

Notwithstanding the foregoing, Applicant notes that, while Summers-eMeeting (US6876734) discloses at column 2, lines 38-39, column 4, lines 30 to 39, lines 44 to 48 and 57 to 66 and column 11, lines 1 to 14 and figure 5 (item 202) features such as a database containing state information for one or more teleconferences including participant names, identifiers and numbers, etc., it does not teach or suggest, as required by claims 1 and 11, the features of: (i) "receiving at the web server a uniform resource identifier (URI) comprising information about the plurality of call destinations and time ranges associated with said plurality of call destinations" or (ii) "arranging the web based telephony application to access the URI in response to a call event to compare a current time with the associated time ranges to select an appropriate one of the plurality of call destinations according to the time comparison" (emphasis added). Thus, the combination of Summers-eMeeting, Nokia-Linden (US6549773) and Voit-Bell Atlantic (US6215790) does not teach or suggest all of the limitations of claims 1 and 11 as presently pending.

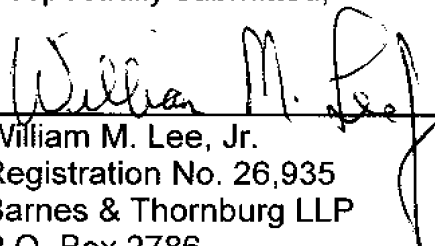
It is respectfully submitted that claims 1 and 11 as presently pending define an invention which is not rendered obvious by any of the references of record, whether taken singly or in any combination.

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance, and such action is solicited.

No fee is due as the applicant has previously paid for five independent claims, and 4 remain.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line. The signature is fluid and cursive.

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